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Date: February 9, 2005  
By: Jennifer Arch

Attorney Docket No. 100717-660 (KGB)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : Christoph METHFESSEL et al  
SERIAL NO. : To Be Assigned [This is a 371 of PCT/EP2003/008299]  
CUSTOMER NO. : 27384  
FILED : Herewith  
FOR : DEVICE AND METHODS FOR CARRYING OUT  
ELECTRICAL MEASUREMENTS ON MEMBRANE BODIES  
ART UNIT : To Be Assigned  
EXAMINER : To Be Assigned

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

SIR:

Pursuant to 37 CFR §§ 1.56, 1.97 and 1.98, Applicants respectfully request that the Examiner consider the references listed on the attached Form PTO-1449.

**I. Timeliness, Fees and Certifications in lieu of Fees**

☒ A. This information disclosure statement is being filed within three months of the filing date of the application, or within three months of entry into the national stage, or before the mailing of a first Office Action on the merits. Pursuant to 37 CFR § 1.97(b), consideration of this information disclosure statement does not require a fee or a statement under 37 CFR § 1.97(e). However, should the Assistant Commissioner determine that a fee is, in fact, due, the Assistant Commissioner is hereby authorized to charge the fee to Deposit Account No. 14-1263.

☐ B. This information disclosure statement is being filed after the period in A above, but before the mailing of either a final action or a notice of allowance. Pursuant to 37 CFR § 1.97(c), consideration of this information disclosure statement requires a fee or a statement under 37 CFR § 1.97(e):

☐ 1. The Assistant Commissioner is hereby authorized to charge the fee set forth in 37 CFR § 1.17(p) to Deposit Account No. 14-1263.

☐ 2. Applicants hereby state that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

☐ 3. Applicants hereby state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this information disclosure statement.

☐ C. This information disclosure statement is being filed after the period specified in B above, but on or before the payment of the issue fee. Pursuant to 37 CFR § 1.97(d), consideration of this information disclosure statement requires a petition, which Applicants hereby request, and payment of the petition fee, which is set forth in 37 CFR § 1.17(i), and which the Assistant Commissioner is hereby authorized to charge to Deposit Account No. 14-1263. Consideration of this information disclosure statement also requires a statement under 37 CFR § 1.97(e):

☐ 1. Applicants hereby state that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

☐ 2. Applicants hereby state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this information disclosure statement.

## **II. Copies of Listed References**

☐ A. Copies of all references listed on the attached Form PTO-1449 are being supplied. Copies of U.S. patents are not included pursuant to Pre-OG Notice dated July 11, 2003.

☐ B. Copies of all references listed on the attached Form PTO-1449 have already been supplied during the prosecution of prior application Serial No. \_\_\_\_, filed \_\_\_\_, from which the present application claims priority pursuant to 35 USC § 120. Therefore, pursuant to 37 CFR § 1.98(d), copies of the references listed on the attached Form PTO-1449 are not now being supplied.

☒ C. This application is a PCT national stage application, all references listed on the attached Form PTO-1449 were cited in the international search report and the copies of the references listed on the attached Form PTO-1449 are in this national stage file. Therefore, copies of the references listed on the attached Form PTO-1449 are not now being supplied.

## **III. Concise Statement of Relevance**

☐ A. All references listed on the attached Form PTO-1449 are in the English language, and, therefore, a concise statement of relevance is not required.

☐ B. All references listed on the attached Form PTO-1449 are referred to in the specification and/or were cited in the international search report, and a copy of that search report, which indicates the degree of relevance found by the Search Authority, is attached.

The Examiner will note that English language counterparts or Abstracts of non-English language references are also enclosed, as follows:

☐ C. All references listed on the attached Form PTO-1449 were cited in the search report issued by the \_\_\_\_\_ Patent Office, and an English-language version of that search report, which indicates the degree of relevance found by that Patent Office, is attached.

☒ D. This application is a PCT national stage application, all references listed on the attached Form PTO-1449 were cited in the international search report, and a copy of that search report, which indicates the degree of relevance found by the International Search Authority, is attached.

☐ E. All listed on the attached Form PTO 1449 were cited during the prosecution of the prior application indicated above under II.B.

#### IV. Additional Information

☐ A. In addition to the references listed on the attached Form PTO-1449, Applicants wish to bring to the attention of the Examiner the following abandoned or co-pending U.S. patent applications:

[Pursuant to 37 CFR § 1.98(a)(2)(iii), copies of these applications are not being submitted.]

☐ B. In addition of the references listed on the attached Form PTO-1449, Applicants wish to bring to the attention of the Examiner the information provided on the attached sheet.

Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted,  
NORRIS MCLAUGHLIN & MARCUS, P.A.

By

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT'S</b> (Form PTO-1449)	Application Number	To Be Assigned [This is a 371 of PCT/EP2003/008299]
	Filing Date:	Herewith
	First Named Inventor	Christoph METHFESSEL et al
	Art Unit	To Be Assigned
	Examiner Name:	To Be Assigned
Sheet 1 of 1	Attorney Docket Number:	100717-660 (KGB)

## U.S. PATENT DOCUMENTS

Examiner's Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup>			
	AA	US -			
	AB	US -			

## FOREIGN PATENT DOCUMENTS

Examiner's Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup>				
	AC	WO 99 66329 A	12-23-1999	Byrne Nicholas Gerard; Cenes Ltd.		
	AD	WO 03 063891 A	08-07-2003	Hansen Lars Bo Laurenborg; Larsen Bjarne Du		
	AE					

## NON PATENT LITERATURE DOCUMENTS

Examiner's Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	AF	MAZET JEAN-LUC et al; "Voltage dependence of liver gap-junction channels reconstituted into liposomes and incorporated into planar bilayers" European Journal of Biochemistry, Vol. 20, No. 1, 1992, pages 249-256 (XP001156543)	
	AG	OH SEUNGHOO et al; "Molecular determinants of electrical rectification of single channel conductance in gap junctions formed by connexins 26 and 32" Journal of General Physiology, Vol. 114, No. 3, September 1999; pages 339-364 (XP002264406)	
	AH	YAMAMOTO YOSHIMICHI et al; "Intercellular electrical communication among smooth muscle and endothelial cells in guinea-pig mesenteric arterioles" Journal of Physiology (Cambridge), Vol. 535, No. 1, August 2001; pages 181-195 (XP002264407)	
	AI	POSTMA FRISO R. et al; "Acute loss of cell-cell communication caused by G protein-coupled receptors: A critical role for c-Src" Journal of Cell Biology, Vol. 140, No. 5, March 9, 1998; pages 1199-1209 (XP002264408)	
	AJ		

EXAMINER SIGNATURE:

DATE CONSIDERED:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>see Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>for Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

The collection of information is required by 37 CFR 1.197 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.